

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

Fiscal Year 2013-2014

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

February 20, 2014

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:02 a.m. on February 20, 2014. The following Board members were present: Catherine Dearman, RN, PhD, President; Francine Parker, EdD, MSN, RN, Vice-President; Cheryl Bailey, RN, BSN, MBA; Melissa Bullard, LPN; Miriam Ellerbe, LPN; Gregory Howard, LPN; Vicki P. Karolewics, Ed.D.; Chrystabell King, LPN; Amy Price, MSN, RN; and Carol Stewart, CRNP, MSN. Leslie Vinson, Executive Secretary/Recorder was present. Staff members attending portions of the meeting were: Christie Davis, Chief Financial Officer; Teresa Young, Docket Clerk; Pam Jenkins, Legal Assistant; Honor Ingels, Chief Legislative and Information Officer; Charlene Cotton, MSN, RN, Advanced Practice; Joyce Jeter, MSN, RN, Practice/Continuing Education; Cathy Russell, MSN, RN, PhD, Nursing Education Consultant; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Peggy Benson, MSN, RN, Deputy Director; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; Patrick Samuelson, Assistant General Counsel; and Alice Maples Henley, Deputy Attorney General/General Counsel.

B. Declaration of Quorum

A quorum was declared with ten Board members present. Gladys Davis Hill, MSN, RN, arrived at 9:03; and Pamela Autrey, PhD., MSN, RN, arrived at 9:15. E. Laura Wright, PhD, MNA, CRNA, Secretary, was not present.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was posted on the Secretary of State's web site in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering

VI.A. Legislative Update was moved to the first item for discussion.

On February 20, Ms. Bullard moved that the Board approve the reordering of the agenda. Mr. Howard seconded. Motion carried without objection.

2. Adoption of Agenda

On February 20, Dr. Parker moved that the Board approve the Agenda, as amended. Ms. Bullard seconded. Motion carried without objection.

II. ADVANCED PRACTICE

A. Collaborative Practice Applications

Ms. Cotton reported that the Joint Committee met February 18, 2014 to review the applications for collaboration with Alabama physicians as listed in the published roster. The Board of Medical Examiners met February 19, and accepted the Committee's recommendations to approve the applications as listed in the roster with corrections and additions.

Item 29, Rebecca Dickerson and Dr. Michael Johnson was removed from the roster pending additional information about the proposed collaboration.

Item 22, Margaret Wojciechowski and Dr. James Thacker, the request to perform Biore Hormone Implants was deferred pending additional information. Joint injections and trigger point injections below T-12 were approved.

The following applications were deferred by the Board of Medical Examiners until the collaborative practice fee has been paid: 1) Marsha Huron, 1-028925 and Ronda Carter, 24825; 2) Hala Mourtada, 1-123194, and Charlie Williams, 11712; 3) Donya Bartlett, 1-142746, and James Cullison, 32439; 4) Harvey Browning, 1-112907, and Chonn Ng, 31237; 5) Joyce Loyd, 1-083029, and Daniel Banach, 23409; and 6) Kristina Morris, 1-134406, and Edith Aguayo, 25842.

The following collaboration agreements were terminated by the CRNP or the physician during the period of temporary approval: 1) Malinda Baucum, 1-098736, and Weily Soong, 27204; 2) Virginia Hunt, 1-136123, and John Michael Waples, 21807; 3) Betty Huskey, 1-128928 and William Sanders, 2996; 4) Nakia Littlejohn, 1-111424, and Daniel Spriggs, 13749; and 5) Andrea Sutton, 1-059933, and Gary Bullock, DO-0729.

The following applications were withdrawn after the roster was published: 1) Valerie Little, 1-094911, and Rita Chandra, 26862; and 2) Kristy Turner, 1-119279, and Asha Voss, 23245.

Ms. Cotton reported that item 38 on the roster had the wrong physician listed. It should be Dr. Mary Elizabeth Patrenos.

Ms. Cotton provided copies of the roster of applications for the Board's review and approval.

On February 20, Ms. Bullard moved that the Board approve the applicants for collaborative practice as listed in the roster, noting applications that were deferred or withdrawn. Mr. Howard seconded. Motion carried without objection.

B. Do Not Allow Annual Review CRNP/CNM Skills Listing

Ms. Cotton reported that the Joint Committee and ABN previously approved the skill/procedures list for Certified Registered Nurse Practitioners (CRNP) and Certified Nurse Midwives (CNM). The list has typically been classified as Do Not Allow. The list is up for annual review. Some procedures have been revised and some procedures were removed.

Ms. Cotton reported that all references to trigger point injections above T-12; Sphenopalatine Ganglion Block, Nasal Approach, for treatment of migraine headache; Shave / Cautery of Superficial Lesions (no biopsy); and Needle Aspiration of Breast Mass are not allowed.

Ms. Cotton provided copies of the Do Not Allow list for the Board's information and review.

The Board reviewed and discussed the list.

C. FYI RN Practice Skills Removed from Skills Listing

Ms. Benson reported that the following skills/procedures listed below have been deleted from the additional skills/duties list as they have been identified as RN practice and are covered under the Standardized Procedure process at the ABN: 1) Baclofen Intrathecal Pump, Refill; 2) Intrauterine Insemination; 3) Bone Marrow Aspiration and Biopsy; 4) Vagal Nerve Stimulator, Interrogation of, with and without voltage change; 5) Needle Decompression, Tension Pneumothorax; and 6) Aminioinfusion.

Ms. Benson reported that those procedures will not be on the standard protocol for CRNPs and CNSs.

Ms. Benson provided copies of the 2014 additional duties for CRNP and CNM practice approved by the Joint Committee.

D. Proposed Additions to Standard Protocols per CRNP/CNM Certification

Ms. Benson reported that the Joint Committee and ABN previously approved the skill/procedure list for Certified Registered Nurse Practitioners (CRNP) and Certified Nurse Midwives (CNM) which could be easily applied to the CRNP and/or CNM standard protocol. If approved, the recommended skill/procedures would be added to the standard protocol.

As always, the collaborative physician determines if the skill or procedure is appropriate for the practice and practice site. The physician ensures the education, training/competency validation of the skill/procedure prior to the CRNP/CNM performing the skill/procedure. The CRNP/CNMs are responsible for maintaining documentation of education and training at the practice site.

Ms. Benson reported that the Joint Committee and the Board of Medical Examiners (BME) approved everything on the list except Veinwave® Thermocoagulation, Ultra-Violet Therapy, and chemical pills. With the exception of those three procedures, all other procedures on the list will be part of the standard protocol for CRNP and CNM certifications.

Ms. Benson provided copies of the skills/procedures list for CRNP and CNM for the Board's information and review.

The Board reviewed and discussed the list of skills/procedures.

On February 20, Dr. Parker moved that the Board approve adding to the Standard Protocol for each specialty certification, the proposed skill/procedures listed under each specialty

certification. Ms. Price seconded. Motion carried without objection.

III. PRACTICE/CONTINUING EDUCATION

A. School Nurse Survey

Ms. Jeter reported that the Alabama Board of Nursing's legal mandate is the protection of public health, safety, and welfare. The school nurse is responsible for the health of children in each school to which he or she is assigned by the local education agency. Giving medication is only one area of responsibility for the school nurse. In 2001, the Board of Nursing revised the ABN Administrative Code specific to delegation by school nurses, Rule 610-X-7-.02. The Board of Nursing recognizes the special nature of school nursing and continues to work collaboratively with organizations related to safe and effective health care for students in Alabama public schools.

The 2014 school nurse survey was developed to capture the nursing care and medical procedures overseen by nurses for students in Alabama public schools. This meets the rules specified in the Alabama Administrative Code, Rule 610-X-7.02(9), Delegation by School Nurses.

Ms. Jeter reported that the survey will help to determine the types of procedures nurses do in the school system. An email with instructions will be sent to the lead school nurses with a month to complete the survey. The proposed survey was shared with the Department of Education School Nurse Consultants for comments and suggestions.

Ms. Jeter reported that the results of the survey will be entered in SPSS and the results will be provided to the Board.

Ms. Jeter provided copies of the proposed survey for the Board's information and review.

The Board reviewed and discussed the school nurse survey.

On February 20, Mr. Howard moved that the Board approve the 2014 School Nurse Survey. Ms. Hill seconded. Motion carried without objection.

Dr. Dearman reported that she would like to add self-mutilation, use of anti-psychotics and drug use whether legal or illegal.

Ms. Jeter reported that self-mutilation and anti-psychotics would be captured under other items in the survey.

B. Review of Approved Standardized Procedures

Ms. Jeter reported that the Alabama Board of Nursing Administrative Code, Rule 610-X-6 -.05 includes rules for the practice beyond the basic nursing education of RNs and LPNS through the implementation of Standardized Procedures (SP) for practice beyond basic nursing education. Practices that are beyond basic nursing education yet within the scope of nursing practice can be described in three general groups according to the statute and regulations in effect: 1) prior to 1983 no general rules; 2) 1983 – 2001 Position Statements; and 3) 2001 – Present, Procedures beyond basic education that have been approved following the requirement of the Standardized Procedure rule.

This listing is an accumulation of the approved Standardized Procedures since 2001. The Board continues to review SP applications for approval and obtain annual data from healthcare organizations related to each facilities use of standardized procedures. Through this process the Board is able to determine the continued safe practice of nursing and protection of the public.

Ms. Jeter provided copies of the FY 2013 Standardized Procedure listing.

The Board reviewed and discussed the standardized procedure listing.

On February 20, Ms. Price moved that the Board approve the standardized procedure list and share with Chief Nursing Officers via the ABN list serv. Dr. Autrey seconded. Motion carried without objection.

C. FY 2013 Annual Report of Standardized Procedures

Ms. Jeter reported that since the implementation of the Alabama Board of Nursing Administrative Code, Chapter 610-X-6.12, the Board has accepted and approved 8,322 standardized procedures from 807 health care providers across the state.

In FY 2013, twelve applications were submitted and approved. Of those twelve, one was a new request.

Ms. Jeter provided copies of the FY 2013 Annual Report for Standardized Procedures for the Board's information and review.

The Board reviewed and discussed the report.

D. FY 2013 Annual Report for Continuing Education

Ms. Jeter reported that the ABN is required by Section 34-21-40, **Code of Alabama 1975**, to provide programs, seminars and workshops. In the early 1990s, the Alabama Legislature amended the Nurse Practice Act in Section 34-21-23 (f), **Code of Alabama 1975**, to require continuing education (CE) as a requirement for nursing license renewal. In addition, the Board audits nurses following every renewal period for compliance with the required CE hours.

Ms. Jeter reported that 117 CE provider applications were reviewed in FY 2013. There are 340 ABN approved CE providers. Four new CE courses were placed on the ABN web site.

Ms. Jeter provided copies of the FY 2013 Annual Report for Continuing Education.

The Board reviewed and discussed the annual report.

IV. EDUCATION

A. Chattahoochee Valley Community College LPN Program

Dr. Russell reported that the FY 2013 NCLEX-PN® results were sent to each approved practical nursing program October 23, 2013. Beginning with FY 2013, the Board shall calculate the program's pass rate with a three-year rolling average. The first three-year period ends at the end of FY 2015. The Board shall take the pass rate for FY2013 through FY 2015 and average the pass rate. Subsequent to FY 2015, the Board shall drop the pass rate for the first of the three-year time period, add the subsequent first-time writers pass rate, and calculate the three year average.

Following the FY 2012 NCLEX-PN® results, Chattahoochee Valley Community College PN program had a 77.8% first-time writer pass rate on the NCLEX-PN®. The Notice of Deficiency required correction by September 30, 2015. The NCLEX-PN® results for FY 2013 were 100%.

Dr. Russell reported that the Board approved Notices of Correction to those programs that corrected the deficiency within the required time period. Chattahoochee Valley Community College PN

Program was left off the list for approval to issue a Notice of Correction.

On February 20, Mr. Howard moved that the Board approve issuing a Notice of Correction to Chattahoochee Valley Community College PN Program for meeting the NCLEX-PN® standards required by the rules. Ms. Hill seconded. Motion carried without objection.

B. Education Committee Recommendations

Dr. Russell reported that the ABN Administrative Code, Rule 610-X-3-.10 states that “nursing programs shall complete the nursing education annual report in a format specified by the Board within the time specified.”

The Education Committee met January 16, 2014, to review the nursing education annual reports. The deadline to submit the nursing education annual report was October 31, 2013.

The nursing programs that failed to submit the annual report by the October 31, 2013 deadline were: 1) Spring Hill College: submitted report on 11/5/2013; 2) Auburn University at Montgomery: submitted report on 11/6/2013; 3) South University: submitted report on 11/7/2013; and 4) Auburn University: submitted report on 11/8/2013.

The nursing programs that failed to submit required information/documents were: 1) Herzing College PN Program: failed to submit number of clinical hours; 2) Herzing College ADN Program: failed to submit number of clinical hours; and 3) South University: failed to submit curriculum grid.

The Education Committee recommends the Board issue a Notice of Deficiency to those nursing education programs that failed to comply with the rules.

On February 20, Mr. Howard moved that the Board accept the Education Committee recommendation to issue a Notice of Deficiency to nursing education programs for failure to submit the annual report for FY 2013 in accordance with the rules. Ms. Bullard seconded. Motion carried with two abstentions (Dr. Parker and Ms. Stewart).

V. BOARD DEVELOPMENT

A. Documentary: High on Ecstasy

The Board watched a video on Ecstasy.

VI. EXECUTIVE OFFICER

A. Legislative Update

Ms. Henley and Mr. Ingels reported that the Medical Association of Alabama (MASA) requested a public hearing on the Board's proposed rules allowing the delegation of glucagon. MASA submitted comments that the ABN does not have the statutory authority to delegate. Ms. Henley represented the Board at the public hearing and read the provisions of the law that permits the Board to delegate the administration of medication to unlicensed personnel. The legislative committee voted to overturn the amendment to the Board's rules allowing the delegation of glucagon.

Ms. Henley reported that there is a meeting at 1:30 today with ABN, Department of Education, MASA, and AEA to try to come to an agreement on the diabetes legislation. Ms. Lee drafted five options for the Board to review.

The Board reviewed and discussed the five options.

On February 20, Dr. Parker moved that the Board go with the first option as written then move down the line of options and with "not inconsistent with the intent of this act". Mr. Howard seconded. Motion carried with one abstention (Ms. Karolewics).

The Board requested that Ms. Henley, Ms. Benson and Mr. Ingels keep the Board's charge of protecting the public in mind when negotiating the language.

B. Executive Officer Evaluation

Dr. Dearman reported that the EO evaluation procedure adopted by the Board in CY 2013 requires a mid-year review. February was set for the mid-year review.

The procedure and the tool were provided for the Board.

Dr. Dearman requested that the Board complete the evaluation tool today if possible return to her in order for her to collate the results. The results will be presented at the March Board meeting.

Dr. Dearman reported that the letter requesting a 20% merit increase for the EO was sent to the Finance Director and 5% was approved. The State Personnel Board met February 15. Dr. Dearman attended the State Personnel Board meeting and the 5% increase was approved.

Dr. Dearman reported that the Board can request an additional 5% increase at the time of the Executive Officer's annual evaluation.

On February 20, Mr. Howard moved that the Board be prepared to submit a request for an additional 5% increase in December 2014. Ms. Ellerbe seconded. Motion carried with five oppositions (Dr. Parker, Ms. Price, Dr. Karolewics, Dr. Autrey, and Ms. Bailey).

Mr. Howard requested that the staff investigate the salaries of Executive Officers of other Boards in the State of Alabama.

C. Report of Snow Emergency

Dr. Dearman reported that Ms. Lee wrote an article for NCSBN regarding the winter storm in Alabama.

VII. REPORTS OF MEETINGS ATTENDED

A. 2014 Annual Institute of Regulatory Excellence, January 28-30, 2014, San Diego, CA

Mr. Howard reported on his attendance at the 2014 Annual Institute of Regulatory Excellence Conference and provided a handout for the Board.

VIII. BOARD TRAVEL

A. 2014 NCSBN Scientific Symposium, April 10, 2014 – Arlington, VA

No one requested to attend.

IX. NEXT MEETING DATE: March 20-21, 2014, 770 Washington Ave, RSA Plaza Suite 350

X. OTHER

- Dr. Dearman welcomed the students from Southern Union Community College.
- Ms. Price requested that the Board have a future discussion about clinics becoming provider based hospital clinics such as the Montgomery Cancer Center which is now owned by Baptist Health.

XI. BOARD MEETING DEBRIEFING

- Ms. Price reported that there was good discussion about the diabetes legislation. She learned a lot about the Board's role and is glad that the Board is represented and being proactive.
- Dr. Autrey requested to see an educational video on heroin.
- The Board loves the ipads.

XII. ADJOURNMENT

The meeting adjourned at 1:13 p.m. on February 20, 2014.

Catherine Dearman President

E. Laura Wright, Secretary

Submitted by: _____
Leslie Vinson, Recorder
2/20/2014